

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically on August 13, 2008, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: August 13, 2008



A handwritten signature in blue ink, appearing to read "Arthur I. Harris".

Arthur I. Harris
United States Bankruptcy Judge

200753576
(jjr)

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AT CLEVELAND

IN RE:

Timothy Raymond St. Clair
Janice Patricia St. Clair

Debtors

Case No. 07-14659

Chapter 13
Judge Arthur I. Harris

**AGREED ORDER FOR RELIEF FROM
STAY OF MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.
(PROPERTY ADDRESS: 717
THORNWOOD BOULEVARD,
ELYRIA, OH 44035)**

This matter came to be considered on the Motion for Relief from Stay (the "Motion") filed by Mortgage Electronic Registration Systems, Inc., ("Movant").

Movant has alleged that good cause exists for granting the Motion and that Debtors, counsel for Debtors, the Chapter 13 Trustee, and all other necessary parties were served with this Motion and with notice of the hearing date for this Motion; and

The parties have entered into an agreement resolving the Motion, **the terms of which are set forth as follows:** The post-petition arrearage due as of July 11, 2008, is \$1,493.86, which amount consists of 1 payment (07/1/08) at \$955.58, accrued late charges at \$256.50, and \$350.00 for attorney fees associated with the Motion and \$150.00 court costs incurred herein for filing the Motion, less funds in suspense of \$218.22.

In order to partially cure said post-petition arrearage, Movant is permitted to file a Supplemental Proof of Claim in the amount of \$500.00, which consists of \$350.00 for attorney fees associated with the Motion and \$150.00 for court costs incurred herein for filing the Motion thereby reducing the arrearage to \$993.86. In order to cure the remaining post-petition arrearage, Debtors agree to make the following lump sum payments to Movant in the form of certified funds on or before the dates specified herein as follows:

- a. \$165.66 on or before July 15, 2008;
- b. \$165.64 on or before August 15, 2008;
- c. \$165.64 on or before September 15, 2008;
- d. \$165.64 on or before October 15, 2008;
- e. \$165.64 on or before November 15, 2008; and
- f. \$165.64 on or before December 15, 2008.

Said lump sum payments are in addition to the regular monthly mortgage payments due and owing for said months. All payments shall be tendered to:

Wells Fargo Home Mortgage
1 Home Campus
Attn: Bankruptcy Payment Processing
MAC# X2302-04C
Des Moines, IA 50328

This payment address is subject to change.

Failure by the Debtors to make any payment described above shall constitute a default.

IT IS THEREFORE, ORDERED:

1. The Debtors shall maintain regular monthly post-petition payments to Movant

outside the Chapter 13 plan beginning with a payment due August 1, 2008. Failure by the Debtors to make any payment within **15** days of the date due shall constitute a default.

2. Upon the existence of a default, Movant's counsel may send Debtors and counsel for Debtors a 10-day notice of Movant's intent to file an affidavit and proposed order granting relief from stay.

3. If the default is not cured within that 10-day period, then upon the filing of an affidavit by Movant attesting to the default by the Debtors, an Order shall be entered without further hearing, terminating the stay imposed by Section 362(a) of the Bankruptcy Code imposed by Section 1301 of the Bankruptcy Code with respect to Movant, its successors and assigns. **The only ground for objection to such an Order shall be that payments were timely made.**

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SUBMITTED BY:

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